

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 5th November, 2009

NO.SEC/3ME/2009/235 .— As per provisions contained in Section 13 D and 13 E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19th December, 2006, State Election Commission, Haryana has fixed the time limit i.e. 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission will be disqualified by the State Election Commission, Haryana for three years.

2. The General election to Municipal Committee, Taoru, District Mewat, was held on 20th January, 2008. The following 11 candidates failed to lodge their election expenditure account within 30 days of declaration of the result :—

Sr. No.	Name of Candidate	Ward No.
	Smt./Sh.	
1.	Devender	1
2.	Shakuntla	4
3.	Heera Mani	4
4.	Ashok Kumar	6
5.	Pankaj Kumar	7
6.	Dharm Pal	7
7.	Sarla	8
8.	Kusum	9
9.	Manish Kumar	11
10.	Ashish	11
11.	Kailash Chand	13

3. They were issued show cause notice as to why they should not be disqualified because they had not filed the election expenditure statement in time. They were personally heard by me on 3rd November, 2009 at 12-00 noon. at Canal Rest House, Taoru . The following candidates came present for the hearing:—

Smt./Sh.

1. Sh. Jagdish Chand on behalf of his wife Smt. Shakuntla.
2. Sh. Ashok Kumar
3. Sh. Pankaj Kumar
4. Smt. Sarla
5. Smt. Kusum
6. Sh. Manish Kumar
7. Sh. Ashish
8. Sh. Kailash Chand

4. Sh Jagdish Chand husband of Smt. Shakuntla stated that they did not know about the deposit of election expenditure statement, so they could not deposit the election expenditure statement. The four candidates, Sh. Ashok Kumar, Sh. Pankaj Kumar, Sh. Ashish Kumar and Sh. Kailash Chand stated that they had only filed their nomination papers did not contest the election. Therefore, they had neither incurred any expenditure during the election nor deposit the election expenditure statement. Smt. Sarla and Smt. Kusum stated that after their defeat in the election they neither care for deposit for the election expenditure statement nor deposit the same in time. They deposited their election expenditure statement at the time of personal hearing i. e. 3rd November, 2009. Sh. Manish Kumar deposited his election expenditure at the time of personal hearing i.e. on 3rd November, 2009. He has also stated that due to death of his relative he could not deposit the election expenditure statement in time. He has not submitted any proof death of his relative.

5. The explanation given by the eight candidates mentioned at para No. 3 is not satisfactory as they could not show any good cause for their failure to file the election expenditure statement. Sh. Davender, Smt. Hira Mani and Sh. Dharam Pal had neither deposit their election expenditure statement nor appeared before me to explain their position. Hence, as per provision provided in Section 13 D of the Haryana Municipal Act, 1973 and all the 11 candidates mentioned at Para No. 2 are hereby disqualified for a period of 3 years from the date of this order.

Copy of the order be communicated to all concerned and got notified in the Haryana Government Gazette.

Chandigarh :
The 5th November, 2009

CHANDER SINGH,
State Election Commissioner, Haryana.

STATE ELECTION COMMISSION, HARYANA
NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 5th November, 2009

No. SEC/3ME/2009/255.—As per provisions contained in Section 13 D and 13 E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19.12.06, State Election Commission, Haryana has fixed the time limit i.e. 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission will be disqualified by the State Election Commission, Haryana for three years.

The Bye election to Ward No. 13 of Municipal Committee, Hodal, District Palwal, was held on 30th March, 2008. Sh. Puran of Ward No 13 failed to lodge his election expenditure account within 30 days of declaration of the result.

He was issued show cause notice as to why he should not be disqualified because he had not filed the election expenditure statement in time. Sh. Puran Singh in his written reply stated that he was operated before the election and subsequently during the election by moving here and there. Some problem developed again. The doctor advised him rest for two months so he could not deposit the election expenditure statement within the prescribed period. He attached

a medical prescription dated 27th September, 2004 of Life Line Hospital, Whereas the Bye election to ward No. 13 was held on 30th March, 2008. He deposited the election expenditure statement on 5th June, 2009.

Sh. Puran Singh heard by me on 31st October, 2009 at 11.00 A. M. in Tourist Complex, at Hodal, District Palwal. Sh. Puran Singh appeared before me and stated that he had already submitted his written reply on 24th August, 2009 regarding late filing of election expenditure statement and the reason stated in the reply dated 24th August, 2009 for depositing late election expenditure statement may be treated as part of his statement.

The explanation given by Sh. Puran has been consider and found unsatisfactory. Hence, Sh. Puran Singh is hereby disqualified under Section 13D of the Haryana Municipal Act, 1973 for a period of three years from the date of this order.

Copy of the order be communicated to Sh. Puran Singh and got notified in the Haryana Government Gazette.

Chandigarh :

The 5th November, 2009

CHANDER SINGH,

State Election Commissioner, Haryana.

STATE ELECTION COMMISSION, HARYANA

NIRVACHAN SADAN, PLOT NO. 2, SECTOR 17, PANCHKULA

Order

The 5th November, 2009

No.SEC/3ME/2009/262.— As per provisions contained in Section 13 D and 13 E of Haryana Municipal Act, 1973, every contesting candidate of Municipal Committee has to maintain his election expenditure account from the date of his nomination till the declaration of result. As per orders dated 19th December 2006, State Election Commission, Haryana has fixed the time limit i.e. 'within 30 days of declaration of result' to file the election expenditure with the Deputy Commissioner or any other officer prescribed by the State Election Commission, Haryana, and the candidates those who will not file his election expenditure account within time limit and make expenditure beyond expenditure limit fixed by the State Election Commission will be disqualified by the State Election Commission, Haryana for three years.

The Bye election to Ward No. 13 of Municipal Committee, Hodal, District Palwal, was held on 30th March 2008. Sh. Pritam Singh of Ward No 13 failed to lodge his election expenditure account within 30 days of declaration of the result.

He was issued show cause notice as to why he should not be disqualified because he had not filed the election expenditure statement in time. He deposit the election expenditure statement on 5th June, 2008. He was personally heard by me on 31st October, 2009 at 11-00 A.M. in Tourist Complex, at Hodal. He stated that he could not deposit his election expenditure in the prescribed period because his son who was a member of Municipal Committee died in a Railway accident. This bye election was caused by his death. After the election he was busy in the matters relating to his son's death and claim case of his son in the court. So he had deposited his election expenditure one and half month late beyond the prescribed period.

After taking into consideration the statement and taking a lenient view Sh. Pritam Singh is hereby exempted from filing his election expenditure statement beyond the prescribed time limit and show cause notice issued to him is hereby filed.

Copy of the order be communicated to Sh. Pritam Singh and got notified in the Haryana Government Gazette.

Chandigarh :

The 5th November, 2009

CHANDER SINGH,

State Election Commissioner, Haryana.